

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

CARL WAYNE STEWART

DOCKET NO.: 1:16-cv-01292

VERSUS

JUDGE BLEICH, ET AL.

JUDGE DEE D. DRELL  
MAG. JUDGE PEREZ-MONTES

**JUDGMENT**

Before the court is the Report and Recommendation of the Magistrate Judge previously filed herein (Doc. 11) and Plaintiff Carl Wayne Stewart's objections thereto (Doc. 12). Having conducted an independent (*de novo*) review of the record, including the objection, the court has determined the findings and recommendation are correct under the applicable law. Additionally, we note remand of the matter is warranted as a plaintiff may not remove an action from state court to federal district court. 28 U.S.C. §1441(a); see also *McKenzie v. United States*, 678 F.2d 571, 574 (5<sup>th</sup> Cir.1982) (citations omitted). Thus, it is hereby

**ORDERED** that the above captioned matter is **REMANDED** to the 10<sup>th</sup> Judicial District Court, Parish of Natchitoches, State of Louisiana.

**SIGNED** at Alexandria, Louisiana on this 24<sup>th</sup> day of March, 2017.

  
DEE D. DRELL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT